

John G. McCarthy (JM-2635)  
Bainton McCarthy LLC  
*Local Counsel for Defendants*  
Collectors Art, Inc., Martin Hancock and  
Linda Hancock  
26 Broadway, Suite 2400  
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(212) 480-3500

**JUDGE HOLWELL**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**07 CV 4151**

-----X  
CBS, INC., :

Plaintiff, : 07 Civ.

- against - :

**NOTICE OF REMOVAL**

COLLECTORS ART, INC., MARTIN :  
HANCOCK, LINDA HANCOCK, :  
NANCY A. ROSS, and :  
HIGH RIDGE PARTNERS, INC., :  
Defendants. :

-----X

MAY 29 2007  
U.S. EASTERN DISTRICT OF NEW YORK

Defendants, Collectors Art, Inc., Martin Hancock, Linda Hancock (hereinafter collectively referred to as "Defendants") by their attorneys, pursuant to 28 U.S.C. §1441, §1332 and §1446 hereby remove the state court proceeding pending in the Supreme Court of the State of New York, County of New York to this Court. In support thereof, Defendants state as follows:

1. CBS, Inc ("Plaintiff") instituted an action against the Defendants in the Supreme Court of the State of New York, County of New York, Index No. 601018/07.
2. On information and belief the Complaint was filed by the Plaintiff on March 28, 2007 (hereinafter referred to as "State Court Proceeding"). Based upon an inquiry with the Clerk of New York County, no affidavit of service had been filed as of May 24, 2007, to indicate the exact date when Plaintiff served the pertinent documents on the Defendants.
3. Upon further inquiry, it came to be known that Martin Hancock was not personally served with the Complaint. Rather the Complaint and accompanying documents were

handed to Martin's secretary at his place of business in California. Linda Hancock has not been served with any of the papers till date.

4. On April 30, 2007 Plaintiff filed a Motion to Dismiss in the United States District Court, Northern District of Illinois, Eastern Division in response to Defendants' complaint for Declaratory Judgment filed as Case No. 07 C 1672. Plaintiff had attached a copy of the complaint it had filed in the Supreme Court of New York County along with a copy of the summons. Defendants have attached these documents as Exhibit A upon information and belief that these were the only documents served on Defendants by the Plaintiff.

5. A copy of this Notice of Removal will promptly be served on Plaintiff's Counsel and will promptly be filed with the Clerk of the Supreme Court of New York County.

**REMOVAL IS APPROPRIATE PURSUANT TO 28 U.S.C. 1332 AND 28 U.S.C 1441(b)**

6. This Court has original jurisdiction over the State Court Proceeding pursuant to 28 U.S.C. §1332(a) through the existence of diversity jurisdiction. The Plaintiff is a Delaware corporation maintaining its offices and place of business in the city, county and state of New York (See Plaintiff's Complaint, ¶ 1). Defendants Martin Hancock and Linda Hancock are natural persons who are citizens of either the state of Illinois or the state of California. Defendant Collectors Art Inc., was incorporated in the state of Illinois thereby making it a citizen of Illinois. Defendant High Ridge Partners Inc., is an Illinois corporation with its principal place of business in Chicago. Defendant Nancy Ross is an employee of High Ridge in the Chicago office and is a citizen of the state of Illinois. Accordingly there is complete diversity of citizenship.

7. Additionally, Plaintiff's Complaint seeks damages in the amount of \$214,900.00 thereby causing the amount in controversy to be in excess of \$75,000.00 pursuant to the requirements of 28 U.S.C. §1332(a).

8. Furthermore, the State Court Proceeding is removable to this Court pursuant to 28 U.S.C. §1441(b) because none of the parties in interest properly joined and served as defendants are citizens of the State of New York.

9. High Ridge Partners Inc. and Nancy Ross consent to the removal of the State Court Proceeding to this Court. This consent is obtained as a prophylactic measure since Counsel for High Ridge and Nancy Ross have advised Counsel for Collectors Art Inc, Martin and Nancy Hancock that they are to be momentarily dismissed from the suit pursuant to a separate settlement agreement with Plaintiff.

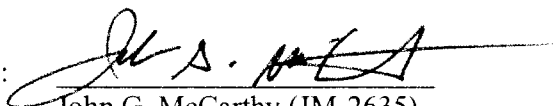
Wherefore, Defendants Collectors Art Inc., Martin Hancock and Nancy Hancock respectfully request that the instant action be removed to this Court.

Dated: New York, New York  
May 29, 2007

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- and -

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